

Atty Dkt. No.: 10003512-1
USSN: 09/771,092

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-14 and 35-42.

The Examiner is thanked for the indication of the claims 1-14 and 35-36 as allowable.

CLAIM AMENDMENTS

Claims 37 and 39 have been amended to incorporate the thermoelectric/piezoelectric limitation of claim 1. This amendment has been made solely in order to expedite prosecution of the present application. As such, this amendment has been made without intent to acquiesce to any rejection, and without intent to surrender any subject matter. The Applicant expressly reserves the right to pursue any the claims in their pre-amended form in one or more continuation and/or divisional applications.

As no new matter has been added by the above amendments, the Applicant respectfully requests the entry thereof.

CLAIM OBJECTIONS

An objection was raised against claims 2 and 38 as being substantially duplicate claims. In view of the above amendment to claim 38 changing its dependency from claim 1 to claim 37, this objection may be withdrawn.

REJECTION UNDER 35 U.S.C. §102

Claims 37-40 have been rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,722,580. In view of the above amendment to claims 37 - 40 incorporating the thermoresistor/piezoelectric element of claim 1, this rejection may be withdrawn.

Finally, claims 41-42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,722,580 in view of U.S. Patent No. 6,458,308. In view of the above amendment to claim 39 incorporating the thermoresistor/piezoelectric element of claim 1 into claim 39 and therefore claims 41 and 42, this rejection may be withdrawn.

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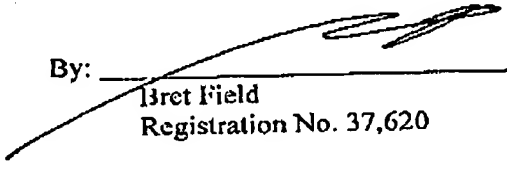
CONCLUSION

In view of the remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078, reference no. 10003512-1.

Respectfully submitted,
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Date: 12.16.04

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